

REMARKS

Applicant appreciates the time taken by the Examiner to review Applicant's present application. This application has been carefully reviewed in light of the Official Action mailed August 18, 2004. Applicant respectfully requests reconsideration and favorable action in this case. Applicant has cancelled claims 32-47 and, therefore, believes the previous rejections are now moot.

Claims 48-56 have been added to more particularly point out distinguishing features of the present invention. More particularly, Claim 48 recites a vertically stackable gas component that comprises a passive gas component configured to mount on a modular base. The passive gas component further has a modular connector to connect to another gas component. Thus, on one side, the passive gas component can be mounted to a modular base, while on the other side has a modular connector (e.g., a VCR connector) to allow it to connect to another gas component in a vertical manner. Claim 49 makes explicit that the gas component is configured to vertically mount on the modular base using a surface mount. Such a configuration is shown in the various figures and described throughout the Specification. Applicant believes that this configuration is neither taught nor suggested by the prior art references Sprafka and Nagai.

Sprafka, for example, teaches a first component in FIGURES 3-8 that has an inlet and outlet designed to connect to modular connectors, specifically VCR connectors. Applicant submits that this component is not configured to mount on a modular base, but, is instead designed for use in a traditional gas stick. Moreover, even if the component can mount to a modular base it uses a modular connector on both sides (not a surface mount connector to connect to the modular base). The second configuration taught by Sprafka is illustrated in FIGURES 9-17. In this configuration, a valve is disposed in a housing that configured to surface mount on both sides. Thus, while Sprafka teaches a flow sensor that uses VCR fittings on both sides and valve that uses surface mounts on both sides, there is no teaching to have a device that mounts to a modular base one side (e.g., via a surface mount) and connects to another component using a modular connector on the other side. Furthermore, the fact that VCR fittings and surface mounts were known to Sprafka but Sprafka choose not to combine the two in a single component suggests that a modification of Sprafka is nonobvious as there is no evidence, prior to the present application, that anyone used or suggested a gas component with a surface mount on one side and a modular connector on the other side so that gas components could be stacked vertically.

With respect to Nagai, Nagai teaches a fluid pressure apparatus that can use a manifold 52 to provide feed and exhaust passages. The various components of the fluid pressure apparatus are stacked on top of each other. Although Applicant does not necessarily acquiesce to the position the manifold is a modular base or that component 54 surface mounts to the modular base, to the extent the Examiner considers component 54 in the stack to surface mount to the manifold, it appears that every stacked component in Nagai also surface mounts to the component below it in the same manner. Therefore, there does not appear to be a component that is uses to modular connector (e.g., a VCR connector or other modular connector) to mount to the component above it. Moreover, as Nagai teaches a system with particular flow passages between the various layers of the fluid pressure apparatus, there would be no motivation to modify Nagai to use modular connectors.

Applicant therefore submits that there is no teaching or suggestion prior to the present invention to provide a vertically stackable component that is configured to connect to a modular base using a surface mount and connect to another gas component using a modular connector such that the gas components are vertically stacked. For example, there was no teaching or suggestion of a filter that can mount to a modular base using a surface mount on one side and connect to another component (e.g., a pressure transducer) using a modular connector (e.g., a VCR connector) on the other side.

Claim 53 recites "an active gas component", "a passive gas component", and "a modular connector coupling said active gas component to said passive gas component such that said active gas component and said passive gas component stack vertically." Furthermore, Claim 53 recites that the passive gas component is operable to mount on a modular base. For the reasons previously stated, Applicant submits that neither Sprafka nor Nagai teach or suggest the present invention. More particularly, neither Sprafka nor Nagai teach or suggest a passive gas component operable to mount to a modular base and that is connected to an active gas component using a modular connector (e.g., VCR or other modular connector).

Applicant has now made an earnest attempt to place this case in condition for allowance. Other than as explicitly set forth above, this reply does not include an acquiescence to statements, assertions, assumptions, conclusions, or any combination thereof in the Office Action. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests full allowance of Claims 48-56. The Examiner is invited to telephone the undersigned at the number listed below for prompt action in the event any issues remain.

An extension of one (1) months is requested and a Notification of Extension of Time Under 37 C.F.R. § 1.136 with the appropriate fee is enclosed herewith.

The Director of the U.S. Patent and Trademark Office is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3183 of Sprinkle IP Law Group.

Respectfully submitted,

Sprinkle IP Law Group
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A handwritten signature in black ink, appearing to read 'John L. Adair', with a long horizontal flourish extending to the right.

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